

AMEND/CORRECT BIRTH CERTIFICATE

1

FOR AN ADULT

FORMS and INSTRUCTIONS

SELF-SERVICE CENTER

PETITION FOR COURT ORDER TO CORRECT (amend) A BIRTH CERTIFICATE for an ADULT

CHECKLIST

You may use these forms if . . .

- ✓ You were born in the state of Arizona, you are 18 or older, and there is an error on your birth certificate.
- ✓ You want the Court to issue an Order to correct that error.
- ✓ You are prepared to present a certified copy of your Arizona birth certificate that contains the *incorrect* information.
- ✓ You are able to present evidence supporting what you say is the correct information, AND
- ✓ You understand that if the evidence you present with this Petition or that you bring to court with you is not enough to satisfy the Court:
 - You may be ordered to return to court with more/other supporting information, or
 - Your case may be dismissed and you will not receive a refund of any court fees.

X *You may **NOT** use these forms to:*

- X CHANGE THE IDENTITY OF EITHER PARENT, OR
- X ESTABLISH PATERNITY OR ADD THE NAME OF A FATHER, OR
- X REQUEST A LEGAL NAME CHANGE.*

* Separate packets for "name change" are available from the Self-Service Center.

READ ME: Consulting a lawyer before filing documents with the court may help prevent unexpected results. A list of lawyers you may hire to advise you on handling your own case or to perform specific tasks, as well as a list of court-approved mediators can be found on the Self-Service Center website at www.superiorcourt.maricopa.gov/SSC

Self-Service Center

PETITION FOR COURT ORDER TO AMEND (CORRECT) A BIRTH CERTIFICATE

This packet contains court forms and instructions to file a petition for a Court Order to amend a birth certificate for an adult (18 or older). Items in **BOLD** are forms that you will need to file with the Court. Non-bold items are instructions or procedures. Do **not** copy or file those pages!

| Order | File Number | Title | # Pages |
|-------|-------------|---|---------|
| 1 | CVAB1k | Checklist: <i>"You may use these forms if . .</i> | 1 |
| 2 | CVAB1t | Table of Contents (this page) | 1 |
| 3 | CVAB10i | Instructions: How to Fill Out Forms to Request Court Order to Amend a Birth Certificate | 2 |
| 4 | CV10f | <i>"Civil Cover Sheet"</i> | 2 |
| 5 | CVAB11f | <i>"Petition for Court Order to Amend Birth Certificate"</i> | 3 |
| 6 | CVAB81f | <i>"Court Order to Amend Birth Certificate"</i> | 2 |
| 7 | CVAB10p | PROCEDURES: What to do after you have completed all forms | 2 |

The documents you have received are copyrighted by the Superior Court of Arizona in Maricopa County. You have permission to use them for any lawful purpose. These forms shall not be used to engage in the unauthorized practice of law. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents. The documents are under continual revision and are current only for the day they were received. It is strongly recommended that you verify on a regular basis that you have the most current documents.

SELF-SERVICE CENTER

INSTRUCTIONS: HOW TO FILL OUT ALL FORMS TO REQUEST A COURT ORDER TO CORRECT (AMEND) A BIRTH CERTIFICATE

FOR ALL FORMS: TYPE OR WRITE CLEARLY. USE BLACK INK.

WARNING! These are NOT the proper papers to request a legal name change. This Petition and accompanying papers are ONLY to request correction of errors that appear on your Arizona birth record and birth certificate.

IF YOUR ADDRESS OR OTHER CONTACT INFORMATION IS PROTECTED BY A COURT ORDER:

1. **INFORM** the Clerk at the filing counter that you have a protected address when you file your papers.
2. Write any protected information on a Sensitive Data Sheet supplied by the Clerk.
3. Write "Protected" in the blanks where the protected information is requested.
4. Do NOT write your address or other protected information on any other form in this packet!

CIVIL COVER SHEET

- **CASE NUMBER:** Leave blank. The case number will be stamped on the papers at the time of filing.
- **PLAINTIFF'S NAME:** Write in the name of the person needing the corrected (amended) birth certificate.
- **ATTORNEY NAME AND BAR NUMBER:** Fill in only if an attorney represents the Petitioner.
- **AMOUNT IN CONTROVERSY:** Leave blank. Does not apply.
- **DEFENDANT'S NAME and EMERGENCY ORDER SOUGHT:** Leave blank. Does not apply.
- **REASON FEES NOT PAID:** Leave blank for Clerk to check if applicable.
- Leave rest of page 1 blank. *On page 2*, check the box beside "**163, 'Other'**" and write-in "**Amend Birth Certificate**". Note that you do not need to make extra copies of this form.

PETITION FOR ORDER TO AMEND BIRTH CERTIFICATE

In the top left corner, write in the information requested about the person **FILING** the form. If you are a parent or a legal guardian filing the Petition on behalf of the person for whom the amended birth certificate is needed, write in this information as it applies to *you*.

In the Matter of . . . Write in the name of the person who needs his or her birth certificate corrected. Leave "**Case Number**" blank. This will be stamped on the papers at time of filing.

1. **INFORMATION ABOUT THE PETITIONER:** Write in the information requested about the person who needs the amended birth certificate, including his or her:
 - Name as it appears on the current birth certificate,
 - Name as currently used or as it appears on other document(s) or records such as Social Security, driver's license, etc.),
 - Date of Birth
 - Place of Birth, including the City(if applicable) and County in Arizona

2. REQUESTS TO THE COURT:

"Amend (correct) My Name: *Optional!*

Check this box and fill in this information **ONLY IF** your birth-name is listed **INCORRECTLY** on your birth

certificate. Be prepared to present evidence to the Court to support your claim that it should be listed another way.

“Other Errors or Omissions:” *Optional!*

Check this box to indicate there are errors or omissions of information *other than your name* on your Arizona birth record that need to be corrected. List each incorrect item – and the correct information for each error. In the lines below, explain the reasons why you believe the information contained on your current Arizona birth records is wrong and why you need to have the information corrected or added.

- 3. Sign the Petition** in the presence of a Notary Public or a Deputy Clerk of Court at the filing counter. By signing the Petition, you are stating that the information you have provided is true and correct, under penalty of perjury.

COURT ORDER TO AMEND BIRTH CERTIFICATE

- **Write in the name of the Petitioner and the case number as they appear on the Petition.**
 - **Under “THE COURT FINDS”, #4 :**
 - **Write in the NAME of the Petitioner as it appears on the current birth certificate.**
 - **Write in the Date of Birth of the Petitioner.**
 - **Write in his or her Place of Birth.**
 - **Under “THE COURT ORDERS” :**
 1. **If there is an error in the NAME of the Petitioner as listed on the current birth certificate, check this box and write-in the CORRECT NAME as it SHOULD appear on the birth certificate.**
 2. **If there are errors or omissions on the current birth certificate OTHER THAN the name, check this box and write in what other information the court should order changed.**
 - **WRITE THE INFORMATION EXACTLY AS IT SHOULD APPEAR ON THE BIRTH CERTIFICATE.**
 - **EVERY LETTER ON THIS FORM MUST BE ABSOLUTELY CLEAR AND LEGIBLE : NO CROSS-OUTS. NO WRITE-OVERS. NO ERASURES. NO CORRECTION FLUID (No “White Out”, etc.).**
3. **Read part 3 (on the Order).**
 4. **Read part 4 (on the Order).**
 5. **Under “OTHER ORDERS”:** Leave blank for the Court to fill out.

WHEN YOU HAVE COMPLETED THESE FORMS, GO TO THE “PROCEDURES” PAGE
(the last document in this packet) **AND FOLLOW THE STEPS LISTED.**

**In the Superior Court of the State of Arizona
In and For the County of Maricopa**

Case Number:

CIVIL COVER SHEET- NEW FILING ONLY
(Please Type or Print)

Plaintiff's Attorney:

Attorney's Bar Number:

Plaintiff's Name(s): (List all)

Plaintiff's Address:

(List additional plaintiffs on page two and/or attach a separate sheet).

Defendant's Name(s): (List all)

(List additional defendants on page two and/or attach a separate sheet).

EMERGENCY ORDER SOUGHT:
(if applicable)

Temporary Restraining Order
OSC – Order to Show Cause
Employer Sanction

Provisional Remedy
Election Challenge
Other

RULE 8(i) COMPLEX LITIGATION DOES NOT APPLY. (Mark appropriate box under **Nature of Action**).

RULE 8(i) COMPLEX LITIGATION APPLIES Rule 8(i) of the Rules of Civil Procedure defines a "Complex Case" as civil actions that require continuous judicial management. A typical case involves a large number of witnesses, a substantial amount of documentary evidence, and a large number of separately represented parties. (Mark appropriate box on page two as to complexity, **in addition** to the Nature of Action case category).

NATURE OF ACTION

(Place an "X" next to the **one** case category that most accurately describes your primary case.)

100 TORT MOTOR VEHICLE:

- 101 Non-Death/Personal Injury
- 102 Property Damage
- 103 Wrongful Death

110 TORT NON-MOTOR VEHICLE:

- 111 Negligence
- 112 Product Liability – Asbestos
- 112 Product Liability – Tobacco
- 112 Product Liability – Toxic/Other
- 113 Intentional Tort
- 114 Property Damage
- 115 Legal Malpractice
- 115 Malpractice – Other professional
- 117 Premises Liability
- 118 Slander/Libel/Defamation
- 116 Other (Specify)

120 MEDICAL MALPRACTICE:

- 121 Physician M.D.
- 122 Physician D.O.
- 123 Hospital
- 124 Other

130 CONTRACTS:

- 131 Account (Open or Stated)
- 132 Promissory Note
- 133 Foreclosure
- 138 Buyer-Plaintiff
- 139 Fraud
- 134 Other Contract (i.e. Breach of Contract)
- 135 Excess Proceeds - Sale
Construction Defects (Residential/Commercial)
- 136 Six to Nineteen Structures
- 137 Twenty or More Structures

Do not type in ALL CAPS

Is Interpreter Needed?

Yes

No

If yes, what language:

To the best of my knowledge, all information is true and correct.

Attorney/Pro Per Signature (If no attorney, YOUR signature)

150-199 OTHER CIVIL CASE TYPES:

156 Eminent Domain/Condemnation
151 Eviction Actions (Forcible and Special Detainers)
152 Change of Name
153 Transcript of Judgment
154 Foreign Judgment
158 Quiet Title
160 Forfeiture
175 Election Challenge
179 Employer Sanction Action (A.R.S. §23-212)
180 Injunction against Workplace Harassment
181 Injunction against Harassment
182 Civil Penalty
186 Water Rights (**Not General Stream Adjudication**)
187 Real Property
Sexually Violent Persons (A.R.S. §36-3704)
(Except Maricopa County)
Minor Abortion (See Juvenile in Maricopa County)
Special Action Against Lower Courts
(See lower court appeal cover sheet in Maricopa)
194 Immigration Enforcement Challenge
(§§ 1-501, 1-502, 11-1051)

150-199 UNCLASSIFIED CIVIL CASE TYPES:

Administrative Review
(See lower court appeal cover sheet in Maricopa)
150 Tax Appeal (All other tax matters must be
filed in the AZ Tax Court)

Case Number:

155 Declaratory Judgment
157 Habeas Corpus
184 Landlord Tenant Dispute - Other
159 Restoration of Civil Rights (Federal)
159 Clearance of Records (A.R.S. §13-4051)
190 Declaration of Factual Innocence(A.R.S. §12-771)
191 Declaration of Factual Improper Party Status
193 Vulnerable Adult (A.R.S. §46-451)
165 Tribal Judgment
167 Structured Settlement (A.R.S. §12-2901)
169 Attorney Conservatorships (State Bar)
170 Unauthorized Practice of Law (State Bar)
171 Out-of-State Deposition for Foreign Jurisdiction
172 Secure Attendance of Prisoner
173 Assurance of Discontinuance
174 In-State Deposition for Foreign Jurisdiction
176 Eminent Domain—Light Rail Only
177 Interpleader— Automobile Only
178 Delayed Birth Certificate (A.R.S. §36-333.03)
183 Employment Dispute - Discrimination
185 Employment Dispute - Other
195(a) Amend Marriage License
195(b) Amend Birth Certificate
163 Other (Specify)

COMPLEXITY OF THE CASE

If you marked the box on page one indicating that Complex Litigation applies, place an "X" in the box of no less than one of the following:

Antitrust/Trade Regulation
Construction Defect with many parties or structures
Mass Tort
Securities Litigation with many parties
Environmental Toxic Tort with many parties
Class Action Claims
Insurance Coverage Claims arising from the above-listed case types
A Complex Case as defined by Rule 8(i) ARCP

Additional Plaintiff(s)

Additional Defendant(s)

Name of Person Filing: _____
Street Address: _____
City, State, Zip Code: _____
Telephone Number: _____
☐ Representing Self (No Attorney), or ☐ Represented by Attorney
If Attorney, Bar Number: _____
☐ I am the Legal Guardian of the adult whose birth record needs correction

For Clerk's Use Only

SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

In the Matter of

Case Number: CV _____

PETITION FOR COURT ORDER TO AMEND BIRTH CERTIFICATE of an ADULT (A.R.S. § 36-337)

Name of Adult whose birth record needs correction

UNDER PENALTY OF PERJURY

1. INFORMATION ABOUT THE ADULT whose birth record needs correction:

FULL NAME:

(First) (Last)

Current Legal Name (if different from above) :

(First) (Last)

Address is as listed at top left
above or *if not*, my address is:

A CERTIFIED COPY OF MY CURRENT ARIZONA BIRTH CERTIFICATE IS ATTACHED.

2. INFORMATION ON THE BIRTH RECORD

A. ☐ The birth record contains INCORRECT information about the above-named adult :

MY NAME appears *wrongly* as _____

DATE OF BIRTH appears *wrongly* as _____

PLACE OF BIRTH appears *wrongly* as _____

Other Information appears *wrongly* as _____

Following is the **CORRECT** information about the above-named adult:
I ask that the birth record be ordered changed as indicated below:

| | | |
|--------------------------|------------------|-------|
| MY NAME | should appear as | _____ |
| DATE OF BIRTH | should appear as | _____ |
| PLACE OF BIRTH | should appear as | _____ |
| Other Information | should appear as | _____ |

B. ☐ The birth record contains **INCORRECT** information about *the FATHER*.

| | | |
|-----------------------|---------------------------|-------|
| FATHER'S NAME* | appears <i>wrongly</i> as | _____ |
| DATE OF BIRTH | appears <i>wrongly</i> as | _____ |
| PLACE OF BIRTH | appears <i>wrongly</i> as | _____ |
| RACE | appears <i>wrongly</i> as | _____ |

Following is the **CORRECT** information about the **FATHER**.
I ask that the birth records be ordered changed as indicated below:

| | | |
|-----------------------|------------------|-------|
| FATHER'S NAME* | should appear as | _____ |
| DATE OF BIRTH | should appear as | _____ |
| PLACE OF BIRTH | should appear as | _____ |
| RACE | should appear as | _____ |

* to correct error in name of the father – not to change identity / paternity.

C. ☐ The birth record contains **INCORRECT** information about *the MOTHER*.

MOTHER'S NAME* appears *wrongly* as _____

DATE OF BIRTH appears *wrongly* as _____

PLACE OF BIRTH appears *wrongly* as _____

RACE appears *wrongly* as _____

MARITAL STATUS appears *wrongly* as _____

RESIDENTIAL ADDRESS appears *wrongly* as _____

Following is the **CORRECT** information about the **MOTHER**.

I ask that the birth records be ordered changed as indicated below:

MOTHER'S NAME* should appear as _____

DATE OF BIRTH should appear as _____

PLACE OF BIRTH should appear as _____

RACE should appear as _____

MARITAL STATUS should appear as _____

RESIDENTIAL ADDRESS should appear as _____

* to correct error in name of the mother – not to change identity / maternity.

REQUEST TO THE COURT:

I request the Arizona Office of Vital Records be ordered to remove and replace the incorrect information on the subject birth record with the correct information as indicated above.

OATH OR AFFIRMATION OF APPLICANT

I affirm under penalty of perjury the information provided on this document is true and correct.

Date: _____

Petitioner's Signature

Printed Name of Petitioner

Signed or Affirmed before me this date: _____

Seal/My Commission Expires: _____

Deputy Clerk or Notary Public

**SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY**

In the Matter of

For Clerk's Use Only

Case Number CV

Petitioner (Legal Name Currently Used)

**ORDER AMENDING BIRTH
CERTIFICATE OF AN ADULT
A.R.S. § 36-337**

THE COURT FINDS:

1. This case has come before this Court to amend the birth certificate of the Petitioner.
2. Pursuant to A.R.S. §36-337, this Court has jurisdiction to order that the Petitioner's birth certificate be amended to correct errors or omissions contained in the original birth certificate.
3. Good cause exists to grant the Petition to amend the birth certificate as requested by the Petitioner.
4. **The Petitioner's Name, Date and Place of Birth appears on his or her Arizona birth certificate as follows:**

THE PRESENT NAME APPEARING ON THE SUBJECT BIRTH CERTIFICATE:

| | | |
|-------|--------|------|
| | | |
| First | Middle | Last |

Date of Birth: _____
Month Day Year

Place of Birth: _____
City State Nation

THE COURT ORDERS:

- ☐ 1. **THE NAME APPEARING ON THE BIRTH CERTIFICATE IS CHANGED TO:**

| | | |
|-------|--------|------|
| | | |
| First | Middle | Last |

- ☐ 2. **THAT THE BIRTH CERTIFICATE RECORDS OF THE PETITIONER BE
CHANGED TO CORRECT THE FOLLOWING ERRORS OR OMISSIONS:**

Case No. _____

That the birth certificate records of the Petitioner should be changed to correct the following errors or omissions - (continued)

- 3. For a person born in the State of Arizona, the Office of Vital Records is ordered to amend the birth record to reflect the new name or other corrected information as ordered above.
- 4. This Order does not release the Applicant from any obligations incurred or harm any rights of property or action in any previous name.
- 5. Other orders: _____

DONE IN OPEN COURT: _____
Date Judicial Officer

SELF-SERVICE CENTER

PROCEDURES: HOW TO FILE FOR A COURT ORDER FOR CORRECTION OF A BIRTH CERTIFICATE FOR AN ADULT

STEP 1: Fill out the *"Petition for Court Order to Amend a Birth Certificate for an Adult"* and make **2** copies.

STEP 2: Fill out the top portion of page 1 of the *"Civil Cover Sheet"*. Write in your name as "Plaintiff". On page 2, check box **163** for "Other", and write in **"Amend Birth Certificate."**

STEP 3: FILE THE PAPERS AT THE COURT:

WHO: **Who can file the "Petition to Amend Birth Certificate of an Adult"?**
The adult who seeks the change, or his or her attorney or guardian.

GO TO: GO TO THE CLERK OF COURT TO FILE YOUR PAPERS: The Court is open from 8am-5pm, Monday-Friday. **You should go to the Court at least two hours before it closes.** You may file your court papers at the following Superior Court locations:

The Clerk of the Superior Court
Central Court Building
201 West Jefferson, 1st floor
Phoenix, Arizona 85003

The Clerk of the Superior Court
Southeast Court Facility
222 East Javelina Drive, 1st floor
Mesa, Arizona 85210

The Clerk of the Superior Court
Northwest Court Facility
14264 West Tierra Buena Lane
Surprise, Arizona 85374

The Clerk of the Superior Court
Northeast Regional Court Center
18380 North 40th Street
Phoenix, AZ 85032

FEES: There are fees for filing petitions, responses, requests, motions, objections, and various forms with the Court. Cash, AMEX/VISA/MasterCard debit or credit cards, money order, or personal in-state check made payable to the "Clerk of Superior Court" are acceptable forms of payment.

Go online to <http://clerkofcourt.maricopa.gov/fees.asp> or the Self-Service Center for a list of current fees.

If you cannot afford the filing fee you may apply for a **deferral** (delayed payment or payment plan) when you file your papers with the Clerk of the Court. **Deferral Applications** are available at **no charge** from the Self-Service Center.

PAPERS: Give **1** Civil Cover Sheet and **1** original plus **2** copies of the *Petition* to the Clerk along with the filing fee. Cash, AMEX/VISA/MasterCard debit or credit cards, money order, or personal in-state check **made payable to the "Clerk of Superior Court"** are acceptable.* **Make sure the filing clerk stamps both of your copies and returns them to you.**

STEP 4: SCHEDULE YOUR HEARING WITH COURT ADMINISTRATION:

At least **four** business days after you filed your *Petition*, contact Court Administration to obtain the Commissioner's Name and the date, time and place of your hearing by calling the telephone number listed below *between the hours of 9am-12 noon or 1-4pm, Monday through Friday*.

If you filed the Petition at:

201 W Jefferson, Phoenix **call 602-506-3397**

222 E Javelina Drive, Mesa, **call 602-506-2023**

14264 W Tierra Buena Lane, Surprise, **call 602-372-9402**

18380 N 40th Street (40th St. & Union Hills), Phoenix, **call 602-506-3397**

You must then complete the ***“Notice of Hearing Regarding Petition for Court Order to Correct Birth Certificate”*** form with the information received from Court Administration. The completed ***“Notice of Hearing”*** form *must then be filed with the Clerk of the Court* at one of the locations listed in Step 3.

STEP 5: ATTEND THE HEARING

Any adult requesting a change to his or her own birth certificate **MUST** be present at the hearing.

BRING THESE DOCUMENTS TO YOUR HEARING:

- **2** copies of ***“Order Amending Birth Certificate for an Adult”*** for the Judge to sign. One copy will go in the Court file and the other will be prepared for certification and returned to you.
- There is a court fee for each certified copy.*
- Photo identification.
- **Copy of your Arizona Birth Certificate**
- A Clerk stamped copy of all filed documents
- Prior Name Change orders (If applicable)
- Copy of Orders of Protection and/or Injunctions Against Harassment still in effect (If applicable)

All adults seeking a change to their birth records should bring with them their passport, driver's license, or other government-issued photo identification.

- ♦ **Adults *seeking* to change their birth records **MUST** bring a copy of their government-issued birth certificate.**
- ♦ **The Court will not change a birth certificate without first seeing a copy.**
- ♦ **Hospital-issued birth certificates are largely ceremonial and generally will not satisfy Court requirements; the Court is looking for government-issued birth certificates.**

Always make sure that you make a copy of any documents you submit to the Court, and keep those copies for your records.

NOTE: If the Court has ordered that the name on your Arizona birth records be changed, you will need to provide them with a **Certified Copy** of the Order. You may purchase a new birth certificate at the Office of Vital Records for a fee. *

*** To get a certified copy of your court order** you will need to present your Judge-signed copy along with payment in cash, personal in-state check or money order (payable to “Clerk of Superior Court”), or VISA/Mastercard (for each certified copy) to the Filing Counter within 48 hours. If you need additional copies after that time, you will need to go to the Court’s Customer Service Center at 601 W. Jackson Street in Phoenix.

Vital Records offices at 1818 W. Adams, Phoenix, AZ 85007, are open between 8:00 a.m. and 4 p.m., Monday through Friday. **Free covered parking** is available one block east on 18th Avenue, between Van Buren and Adams Streets. You may also telephone Vital Records at 602-364-1300 (you may experience lengthy hold times).